

Liberty request that the Commission clarify that a licensee electing its in-core NTSC channel will have the option of selecting and receiving interference protection for the service area covered by either its NTSC or DTV antenna pattern. In this manner, stations would be best positioned to minimize stranded costs associated with discarding paired antennas. Stations also could minimize amounts of fallow spectrum and optimize spectrum usage.

II. THE COMMISSION SHOULD CLARIFY THE INTERFERENCE STANDARD APPLICABLE AFTER ADOPTION OF THE FINAL TABLE.

The Commission's current *de minimis* interference standard for DTV applications and allotment changes is specified in Section 73.623(c)(2) of the Commission's Rules.¹ This section provides that an application or a request for modification of an allotment must result in no more than an additional 2 percent interference to any other station. In the *Order*, it appears that the Commission anticipates modifying this standard in the future. In footnote 83 to the *Order*, the Commission provides that a station may seek to enlarge its service area after adoption of the Final Table subject to the rules then in place, but the *Order* does not specify what level of interference may be acceptable at that time. Cox and Liberty request that the Commission clarify the *Order* by specifying the interference standard that will be applied. Cox and Liberty understand that any interference standard established now would be subject to future changes, but such clarification is preferable to the present uncertainty as a standard is essential to analyze election options and consider the potential to maximize beyond current authorizations.

¹ 47 C.F.R. §73.623(c)(2) (2003).

III. THE COMMISSION SHOULD CLARIFY THAT “EXISTING INTERFERENCE” MEANS “EXISTING INTERFERENCE” WHEN EVALUATING ELECTION OF NTSC CHANNELS.

In implementing the Step 3 interference conflict analysis, the *Order* provides that channel elections will be approved where they do not create an interference conflict with any other DTV allotments and that such a conflict will be found where an election creates “new” interference, defined as 0.1 percent interference in addition to existing interference. Cox and Liberty request clarification of the definition of “existing interference,” as applied to stations electing NTSC channels. Specifically, Cox and Liberty request that the Commission clarify that if two licensees currently cause interference to each other on their NTSC allotments, this level of interference will be considered “existing interference” if both of these licensees elect their NTSC channels in Step 1. For example, if two stations currently operating their NTSC facilities cause 1 percent interference to each other, and each elects its NTSC channel in the channel election process, Cox and Liberty hereby request that the Commission clarify that this 1 percent interference will be treated as “existing interference” for the purposes of performing the Step 3 interference conflict analysis, resulting in the acceptability of a total interference level of 1.1 percent.

IV. THE COMMISSION SHOULD CLARIFY THAT IT WILL PROTECT THE NTSC AND DTV-EQUIVALENT SERVICE AREAS OF SINGLETONS.

Certain licensees, referred to in the *Order* as “singletons,” did not receive a paired DTV channel in the initial DTV table of allotments. The *Order* allows these licensees two options in the first round of elections: to elect to keep their in-core channel or to turn in this channel and be treated like a licensee with two out-of-core channels. Cox and Liberty request that the Commission clarify the degree of protection such licensees will receive in the Step 3 first round interference conflict analysis. Specifically, Cox and Liberty request that the Commission clarify that both the current NTSC service areas and predicted maximized or replicated DTV service

areas of these licensees will be protected from interference. Such an approach would be more in keeping with the actual operation of the stations.

V. THE COMMISSION SHOULD CLARIFY THE SOFTWARE PARAMETER SETTINGS FOR INTERFERENCE DETERMINATION.

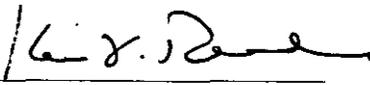
It is Cox's and Liberty's understanding that the Commission is employing the software described in OET Bulletin 69 to analyze the degree of interference created for stations' elected channels. Cox and Liberty request that the Commission clarify values for the user selectable parameters for this software so that parties more confidently can predict results that the Commission will obtain. These parameters, and what is believed to be the Commission's "default" parameters, are (1) a grid resolution cell size of two kilometers on a side; (2) a terrain spacing increment of one kilometer, and (3) the continued Longley-Rice Error Code 3 implementation (which is when an Error Code 3 flag is returned by the Longley-Rice propagation model at a particular cell, that cell is classified as having interference-free service). Such clarification will permit consistence in predicting interference and confidence that station calculations will conform to those that the Commission generates.

CONCLUSION

Cox and Liberty respectfully request that the Commission clarify its *Order* as detailed above to ensure that DTV channel elections occur efficiently and smoothly.

Respectfully submitted,

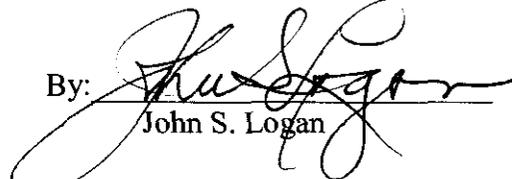
COX BROADCASTING, INC.

By: 
Kevin F. Reed

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W., Suite 800
Washington, D.C. 20036-6802
202-776-2000
Its Attorneys

November 3, 2004

THE LIBERTY CORPORATION

By: 
John S. Logan

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Ave, N.W., Suite 800
Washington, D.C. 20036-6802
202-776-2000
Its Attorneys

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL

In the Matter of)

Second Periodic Review of the)
Commission's Rules and Policies)
Affecting the Conversion)
To Digital Television)

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MB Docket No. 03-15

RM 9832

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To: Office of Secretary
Attention: The Commissioners

Federal Communications Commission
Office of Secretary

MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Paxson Buffalo License, Inc., licensee of television station WPXJ-TV, Batavia, New York, Paxson Akron License, Inc., licensee of television station WVPX(TV), Akron, Ohio, Paxson Communications License Company, LLC, licensee of television station WPXD(TV), Ann Arbor, Michigan, Paxson Des Moines License, Inc., licensee of television station KFPX(TV), Newton, Iowa, Paxson Spokane License, Inc., licensee of television station KGPX(TV), Spokane, Washington, Paxson Greenville License, Inc., licensee of television station WEPX(TV), Greenville, North Carolina, Paxson San Antonio License, Inc., licensee of television station KPXL(TV), Uvalde, Texas, and Paxson Syracuse License, Inc., licensee of television station WSPX-TV, Syracuse, New York, (collectively, the "Paxson Licensees"), by their attorneys and pursuant to Section 1.429(d) of the Commission's rules, hereby request leave to exceed the page limitation applicable to the Petition for Reconsideration filed concurrently

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with this Motion by the Paxson Licensees in the above-referenced rulemaking proceeding.¹ Although the Paxson Licensees' Petition for Reconsideration alone does not exceed the page limits specified in the Commission's Rules, this Petition combined with the Petition for Reconsideration filed with the Commission on November 2, 2004 in the above-referenced rulemaking proceeding by Paxson Communications Corporation ("PCC"), the ultimate parent company of the Paxson Licensees, does exceed this limit. The Paxson Licensees believe permission to exceed the page limit is warranted given that the narrow and specific points raised in the Petition are substantially unrelated to the general policy questions that PCC addresses in its Petition for Reconsideration, and warrant separate consideration.

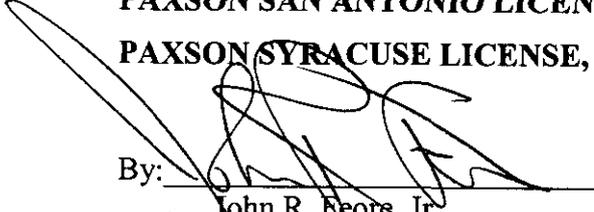
Based on the foregoing, the Paxson Licensees respectfully request permission to exceed the page limits applicable to Petitions for Reconsideration of a final rulemaking action. As such, if the Commission denies this Motion and declines to accept the Petition for Reconsideration of

¹ 47 C.F.R. § 1.429(d) (2003). Pursuant to Section 1.429(d), Petitions for Reconsideration generally are limited to 25 pages in length.

the Paxson Licensees, the PCC Petition for Reconsideration accordingly would remain unaffected, as its submission yesterday unequivocally complied with the Commission's Rules.

Respectfully submitted,

PAXSON BUFFALO LICENSE, INC.
PAXSON AKRON LICENSE, INC.
**PAXSON COMMUNICATIONS LICENSE
COMPANY, LLC**
PAXSON DES MOINES LICENSE, INC.
PAXSON SPOKANE LICENSE, INC.
PAXSON GREENVILLE LICENSE, INC.
PAXSON SAN ANTONIO LICENSE, INC.
PAXSON SYRACUSE LICENSE, INC.

By: 

John R. Feors, Jr.

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W., Suite 800
Washington, D.C. 20036-6802
202-776-2000

Their Attorney

November 3, 2004